

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 1735 - SB 1598**

March 4, 2011

**SUMMARY OF BILL:** Establishes a test to determine whether a person 65 years of age or older, or a person who has a mental or developmental disability, commits a Class D felony offense for registering or attempting to vote or voting in any manner, more than once in the same election. The voter will not be prosecuted for violating the statute if the election official or the district attorney determines that the person is unaware of or has no remembrance of already voting or having applied for an absentee ballot.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- According to the Administrative Office of the Courts (AOC), there have been no convictions under Tenn. Code Ann. § 2-19-107 which establishes a Class D felony offense for intentionally registering and voting more than once in the same election.
- Any impact on the court which may be asked to apply the test where a person alleges age or disability as a defense will be not significant and can be handled within existing judicial resources.
- Any impact on the election official or the district attorney to apply the test will be not significant and can be handled without an increase in state or local government expenditures.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White".

James W. White, Executive Director

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